

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

FIDEL LEON ODIMARA,

Petitioner,

v.

DREW BOSTOCK,

Respondent.

CASE NO. 2:24-cv-01412-MJP-DWC

ORDER FOR RETURN AND STATUS
REPORT, § 2241 PETITION

Petitioner Fidel Leon Odimara has filed a 28 U.S.C. § 2241 habeas petition, challenging his detention by U.S. Immigration and Customs Enforcement (“ICE”). Having reviewed the Petition, the Court ORDERS:

(1) If not previously accomplished, electronic posting of this Order and Petitioner’s § 2241 habeas petition shall effect service upon the United States Attorney of the Petition and all supporting documents. Service upon the United States Attorney is deemed to be service upon the named Respondents.

(2) **Within 30 days of the date this Order is posted**, Respondent shall show cause why a writ of habeas corpus should not be granted by filing a Return as provided in 28 U.S.C. §

2243. As a part of such Return, Respondent shall address and submit evidence relevant to Petitioner's allegation that his detention is unlawful because ICE is unable to effectuate his removal in the reasonably foreseeable future. Respondent shall file the Return with the Clerk of the Court and shall serve a copy upon Petitioner.

(3) The Return will be treated in accordance with LCR 7. Accordingly, on the face of the Return, Respondent shall note it for consideration no earlier than 28 days after filing. Petitioner may file and serve a response not later than 21 days after the filing date of the Return, and Respondent may file and serve a reply brief not later than 28 days after the return is filed.

(4) If Petitioner's custody status changes at any point during this litigation, **Respondent shall file a status update with the Court as soon as possible and no later than 14 days after the change.**

The Clerk is directed to send copies of this Order to Petitioner and the Honorable Marsha J. Pechman.

Dated this 18th day of September, 2024.



David W. Christel
United States Magistrate Judge